

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSAL REEFERS LTD.,

Plaintiff,

08 CV 5500 (JGK)

v.

DGM COMMODITIES
a/k/a DGM COMMODITIES CORP.,

Defendant.

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**ATTORNEY DECLARATION IN SUPPORT
OF MOTION TO VACATE THE ATTACHMENT**

Pursuant to 28 U.S.C. § 1746, Eugene J. O'Connor, Esq., declares under the penalty of perjury:

1. I am a member of the Bar of the State of New York, and admitted to practice before this Court, and am a member of the firm of Chalos, O'Connor & Duffy, LLP, attorneys for the Defendant DGM Commodities Corp. (hereinafter "DGM Commodities") in this action.

2. I am fully familiar with the matters set forth in this declaration, which is submitted by Order to Show Cause in support of Defendant DGM Commodities' Motion to Vacate the Order and Process of Attachment and Garnishment.

3. Based on the information provided by Messrs. Freehill, Hogan & Mahar, LLP, attorneys for Plaintiff Universal Reefers, Ltd., the following wire transfers of Defendant DGM Commodities have been attached to date:

<u>Date</u>	<u>Garnishee Bank</u>	<u>Amount</u>
June 26, 2008	Standard Chartered Bank	\$59,788.00
June 26, 2008	Deutsche Bank	\$7,959.84
June 26, 2008	Deutsche Bank	\$119,714.39
June 26, 2008	JP Morgan Chase	\$3,000.00
June 26, 2008	JP Morgan Chase	\$50,998.50
June 27, 2008	Bank of America	\$22,690.00
June 27, 2008	Bank of New York Mellon	\$33,020.00
June 27, 2008	Deutsche Bank	\$199,987.00
June 30, 2008	Bank of America	\$18,020.39
June 30, 2008	Bank of America	\$28,000.00

Total amount attached = **\$543,178.12**

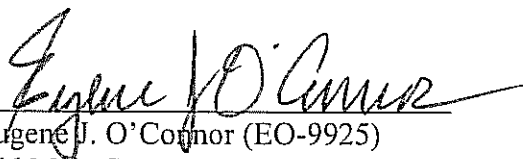
4. As is set forth in the accompanying Memorandum of Law submitted in support of this application to vacate the attachment, the foregoing attachments should be vacated and this action dismissed.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Port Washington, New York
June 30, 2008

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Defendant DGM Commodities

By:


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